

PATENT

ATTORNEY DOCKET NO. CGNE.023.08US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Goodman, *et al.*

Serial No.: Not Yet Assigned

Filed: November 23, 1999

For: **MOLECULAR FARMING**

)

) Examiner: Not Yet Assigned

)

) Art Unit: Not Yet Assigned

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) **INFORMATION DISCLOSURE**

) **STATEMENT**

)



**BOX PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

References A3-A9 have been cited by the Examiner in priority Application No. 08/855,260. References A1, A2, B1-B8, C1-C21 have been cited by the Examiner or submitted by the Applicants in priority Application No. 07/507,380. Each of these references has been cited by or submitted to the Office in a properly identified prior application, therefore under 37 C.F.R. § 1.98(d) copies of these references are not required.

**CERTIFICATE OF EXPRESS MAILING**

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I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C., 20231.

(Signature) Jacob Zuehl


(Printed Name) JACOB ZUEHL

- ☐ The enclosed publications were cited in a foreign examination report in a related case. A copy of the search report is attached.
- ☐ The search report is not in the English language and a translation of the search report is enclosed.
- ☐ Enclosed in an explanation of the relevance of non-English publications for which an English translation is not available.
- ☐ The explanation is in the form of an English language search report.

The subject application is believed patentable over any of the above references.

Respectfully submitted,

Dated: November 23, 1999



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BRV/JLW

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COMMISSIONER OF PATENTS AND TRADEMARKS  
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FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
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(Use several sheets if necessary)

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In re application of: Goodman, *et al* ]  
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U. S. PATENT DOCUMENTS

<u>Ref.</u> <u>Design</u>	<u>Examiner's</u> <u>Initials</u>	<u>Document</u> <u>Number</u>	<u>Date</u>	<u>Name</u>	<u>Class/</u> <u>Subclass</u>	<u>(If appropriate)</u> <u>Filing Date</u>
A1		4,399,216	08/16/83	Axel <i>et al.</i>	435/68	2/25/80
A2		4,530,901	07/23/85	Weissman	435/70	2/4/80
A3		4,216,203	8/1980	Johnston	424/85	7/14/78
A4		4,278,661	7/1981	Knight, Jr.	424/85	10/12/79
A5		4,771,002	9/1998	Gelvin	435/172.3	2/24/84
A6		4,956,282	9/1990	Goodman <i>et al.</i>	435/69.51	7/29/85
A7		5,102,796	4/1992	Hall <i>et al.</i>	435/172.3	1/20/88
A8		5,550,038	8/1996	Goodman <i>et al.</i>	435/70.1	12/8/93
A9		5,629,175	5/1997	Goodman <i>et al.</i>	435/69.1	6/5/95

Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609.  
Draw a line through the citation if not in conformance and not considered. Include a copy of this  
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FOREIGN PATENT DOCUMENTS

<u>Ref.</u> <u>Desig.n</u>	<u>Examiner's</u> <u>Initials</u>	<u>Document</u> <u>Number</u>	<u>Date</u>	<u>Country</u>	<u>Class/</u> <u>Subclass</u>	<u>(If appropriate)</u> <u>Filing Date</u>
B1		WO84/02913	02/08/84	PCT		
B2		WO84/02920	02/08/84	PCT		
B3		WO84/00466	16/02/84	PCT		
B4		EPA 0 095 350	30/11/83	EPO		
B5		EPA 0 135 291	27/03/85	EPO		
B6		WO85/04899	07/11/85	PCT		
B7		EPA 0 108 580	16/05/84	EPO		
B8		WO87/00551	01/28/87	PCT		

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Examiner's  
Desig. Initials

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	]	Art Unit: Not Yet Assigned
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- C1 Depicker *et al.*, Genetic Engineering of Plant Cells- An. Agr. Persp. (1983 Plenum Press, NY. NY. pgs. 144-148
- C2 Fraley, R.T. *et al.*, "Use of a chimeric gene to confer antibiotic resistance to plant cells," Adv. Gene Technol. Miami Winter Symp. 20 pp. 211-21
- C3 Fraley *et al.*, BioTechnology (1985) 3:629-635
- C4 Fraley *et al.*, Proc. Natl. Acad. Sci. USA (1983) 80:4803-4807
- C5 Goodman *et al.*, Science (1987) 236: 48-54
- C6 Gray *et al.*, Nature (1982) 295:503-508
- C7 Hernalsteens *et al.*, EMBO, (1984) 3(13): 3039-3041
- C8 Herrera-Estrella *et al.*, Nature, 1984 310: 115-120
- C9 Hiatt *et al.*, Biotechnology, (1989) 342: 77-78
- C10 Hooykaas-Van Slogteren *et al.*, Nature, (1984) 311: 763-764
- C11 Jaynes and Strobel, International Review of Cytology (1981) Supp 13: 105-125
- C12 Koncz *et al.*, EMBO (1984) 3(5): 1029-1037
- C13 Leemans *et al.*, Molecular Biology of Plant Tumors (1982) Academic Presws, N.Y., N.Y. pgs. 537-545

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C14	Lefebure <i>et al.</i> , <u>Biotechnology</u> (1987) 5: 1053-1056
C15	Murai <i>et al.</i> , <u>Science</u> (1983) 222: 476-482
C16	Odell <i>et al.</i> , <u>Nature</u> 313: 810-812
C17	PaszKowski <i>et al.</i> , <u>EMBO</u> (1984) 3: 2717-2722
C18	Potrykus <i>et al.</i> , <u>Mol Gen. Genet.</u> (1985) 199: 183-188
C19	Shaw <i>et al.</i> , <u>Gene</u> (1983) 23:315-330
C20	Sijmons <i>et al.</i> , <u>Biotechnology</u> (1990) 8:217-221
C21	Velten <i>et al.</i> , <u>EMBO</u> (1984) 3: 2723-2730

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